

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

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**PAUL (CHAIM SHLOMO) FISCHER,  
AHARON (ALEX) FISCHER, ISACHAR  
DOV FISCHER, ISRAEL FISCHER,  
ESTATE OF SIMCHA YEHUDA  
YESHA'AYAU FISCHER and  
ESTATE OF ABRAHAM GABI  
GABOR FISCHER,**

Plaintiffs,

Civil Action No. 1:12-cv-03328

Judge Kuntz

**PLAINTIFFS' APPLICATION  
FOR VOLUNTARY DISMISSAL  
PURSUANT TO F.R.C.P. RULE  
41(a)(2)**

v.

**ERSTE GROUP BANK AG a/k/a Erste  
Bank der Oesterreichischen Sparkassen  
AG, Erste Bank Oesterreich or Erste  
Bank Austria ("Erste"), BAYERISCHE  
LANDESBANK a/k/a BayernLB or  
Bavarian State Bank, MKB BANK Zrt.  
("MKB") and MAGYAR NEMZETI  
BANK,**

Defendants.  
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Pursuant to Rule 41(a)(2) of the Federal Rules of Civil Procedure, Plaintiffs Paul (Chaim Shlomo) Fischer, Aharon (Alex) Fischer, Isachar Dov Fischer, Israel Fischer, Estate of Simcha Yehuda Yesha' Ayau Fischer and Estate of Abraham Gabi Gabor Fischer hereby request that their claims in the above entitled action be voluntarily dismissed as against Defendants Erste Group Bank AG a/k/a Erste Bank Der Oesterreichischen Sparkassen AG, Erste Bank Oesterreich or Erste Bank Austria ("Erste"), Bayerische Landesbank a/k/a Bayernlb or Bavarian State Bank, and Magyar Nemzeti Bank, without prejudice or any adjudication on the merits, and without costs or fees to any party.

Dated: New York, New York  
July 5, 2013

Respectfully submitted,

McCALLION & ASSOCIATES LLP

By:



Kenneth F. McCallion (KFM 1591)  
100 Park Avenue – 16<sup>th</sup> floor  
New York, New York 10017  
Attorneys for Plaintiffs

The application is \_\_\_\_ granted  
s/WFK

William F. Kuntz, II, U.S.D.J.

Dated: July , 2013

Brooklyn, New York